

Senate, No. 2852

[Senate, July 29, 2008 – Text of the proposed Senate amendment (Ways and Means) to the House Bill providing for capital facility repairs and improvements for the commonwealth (House, No. 5016)]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND SEVEN

SECTION 1. To provide for a program of capital facility repairs and improvements to protect and improve the capital facilities of the commonwealth and for a program of capital asset acquisitions for general government operations, the sums set forth in sections 2 to 5, inclusive, for the several purposes and subject to the conditions specified in this act are hereby made available, subject to the laws regulating the disbursement of public funds, which sums shall be in addition to any other amounts previously appropriated for these purposes.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1100-7400 For the recapitalization of the Massachusetts Community Development Finance Corporation; provided, that the corporation shall prepare a 5-year strategic operations plan which shall include, but not be limited to, (i) identification of the financial resources required to meet the mission and on-going lending operations of the corporation; (ii) a plan to reduce or eliminate the need for public subsidies to meet the mission of the corporation; and (iii) identification of the corporate relationship to and purpose of any affiliated or subsidiary corporations, including a description of how the affiliation or subsidiary relationship is consistent with the objective of fulfilling the mission of the corporation; and provided further, that the corporation shall submit the strategic operations plan to the executive office for administration and finance and to the house and senate committees on ways and means not later than December 31, 2008\$10,000,000

1100-9200 For costs associated with the purchase and procurement of
equipment for general government operations\$250,000,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

8000-0700 For equipment for the department of correction and other
agencies within the executive office of public safety
and security including, but not limited to, medical
equipment, security equipment and communications
equipment.....\$25,000,000

8000-2020 For the design, construction and implementation of the
department of state police mobile data network and an
automated motor vehicle citation system, including the
use of "MDT" devices.....\$15,000,000

8100-2025 For the replacement of state police cruisers; provided, that the
state police shall develop a 5-year plan which specifies
the number of vehicles to be replaced each fiscal year
over a 5-year period; provided further, that the
department shall report annually to the house and senate
committees on ways and means the number of vehicles
and condition of each vehicle replaced under this plan;
provided further, that the report shall also include, but
not be limited to, the total amount spent in each fiscal
year; and provided further, that the first report shall be
filed by January 1, 2009.....\$40,000,000

8100-9000 For the purchase of state police helicopters; provided, that the
state police shall trade in 1 helicopter from the current
inventory of helicopters each time a replacement
medium lift helicopter is purchased, and the value of
the trade-in shall be used to reduce the negotiated
purchase price of the replacement helicopter.....\$25,000,000

SECTION 3.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Information and Technology Division

1790-3000 For costs associated with planning and studies, the
preparation of plans and specifications, purchase and
procurement of information technology-related
equipment and related projects; provided, that any
federal reimbursement received by a state agency in
connection with projects funded from this item may be

78 retained by the state agency and expended for the
79 purposes of the project, without further appropriation,
80 in addition to the amounts appropriated in this item;
81 provided further, that any state agency receiving federal
82 reimbursements for a project funded from this item
83 shall file a quarterly report with the executive office for
84 administration and finance, the house and senate
85 committees on ways and means, and the joint
86 committee on bonding, capital expenditures, and state
87 assets that details, by project, an annual estimate of
88 anticipated federal reimbursement to be received on
89 behalf of and expended for the project, as well as year-
90 to-date actual federal reimbursement received and year-
91 to-date actual expenditures of the reimbursement, by
92 project; and provided further that \$1,800,000 shall be
93 expended for information technology systems upgrades
94 at the appeals court and the supreme judicial court\$451,800,000
95

96 SECTION 4.

97 **EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

98 *Office of the Secretary*

99 1100-8020 For the Massachusetts Opportunity Relocation and Expansion
100 Jobs Capital Program related to site remediation,
101 preparation and ancillary infrastructure improvement
102 projects; provided, that the local executive government
103 body and a for-profit entity involved in the project shall
104 jointly submit a request for funding to the secretary of
105 housing and economic development which shall include
106 sufficient documentation including, but not limited to, a
107 project plan with specific goals and objectives that fully
108 documents the proposed project and either: (i)
109 demonstrates that the businesses associated with the
110 project will generate substantial sales from outside the
111 commonwealth and will result in the creation of a net
112 increase of at least 100 new permanent, full-time jobs in
113 the commonwealth within 24 months after receipt of a
114 grant and commits that the jobs are to be maintained for
115 at least a 5-year period, or (ii) documents an economic
116 benefit that the secretary determines is sufficiently
117 exceptional; and provided further, that annually on or
118 before December 31, the secretary shall issue a written
119 report to the clerk of the house of representatives and
120 the senate, which shall include detailed descriptions of

121 any infrastructure improvement projects funded under
122 this program and all funds expended for this purpose;
123 provided further, that not less than \$25,000,000 shall be
124 granted to gateway cities and cities with more than
125 40,000 inhabitants where: (1) the unemployment rate is
126 at least 1.5 per cent higher than the statewide average;
127 or (2) the median income of the city is 80 per cent or
128 less of the state median income; and provided further,
129 that not less than \$15,000,000 shall be expended on
130 projects in cities in which both criteria are applicable.....\$75,000,000
131

132 0640-0300 For the Massachusetts Cultural Facilities Fund related to the
133 acquisition, design, construction, repair, renovation,
134 rehabilitation, or other capital improvement or deferred
135 maintenance of a cultural facility consistent with
136 section 42 of chapter 23G of the General Laws and
137 sections 52 to 58, inclusive, of chapter 10 of the
138 General Laws; provided, that not less than \$25,000,000
139 shall be expended to gateway cities and cities with
140 more than 40,000 inhabitants where: (1) the
141 unemployment rate is at least 1.5 per cent higher than
142 the statewide average; or (2) the median income of the
143 city is 80 per cent or less of the state median income;
144 and provided further, that not less than \$15,000,000
145 shall be expended on projects in cities in which both
146 criteria are applicable.....\$50,000,000
147
148

149 *Division of Capital Asset Management and Maintenance*
150

151 1102-2008 For costs associated with planning and studies, dispositions,
152 acquisition of land and buildings and interests therein
153 by purchase, lease for a term, including any extensions,
154 not to exceed 50 years, gift or other transfers, or by
155 eminent domain under chapter 79 of the General Laws,
156 for the preparation of plans and specifications, repairs,
157 construction, renovations, improvements, asset
158 management and demolition, disposition and
159 remediation of state-owned and former county facilities
160 and grounds and for costs associated with repair and
161 maintenance of buildings and building systems and
162 equipment at various facilities of the commonwealth;
163 provided, that all maintenance and repair work funded
164 in this item shall be listed in the capital asset
165 management information system (CAMIS)
166 administered by the division of capital asset

167 management and maintenance; provided further, that,
168 where appropriate, the commissioner of capital asset
169 management and maintenance may transfer funds in
170 accordance with the delegation of project control and
171 supervision process under section 40B of chapter 7 of
172 the General Laws; provided further, that funds so
173 transferred shall be distributed based on the severity of
174 the need that the repair will address and other criteria
175 developed by the division, in consultation with the
176 secretary of administration and finance; provided
177 further, that costs payable from this item shall include,
178 but not be limited to, the costs of engineering and other
179 services essential to these projects rendered by division
180 of capital asset management and maintenance
181 employees or by consultants; provided further, that
182 amounts expended for division employees may include
183 the salary and salary-related expenses of these
184 employees to the extent that they work on or in support
185 of these projects; provided further that, upon
186 certification by the commissioner of education pursuant
187 to section 4 of chapter 463 of the acts of 2004,
188 \$60,000,000 shall be expended for costs associated with
189 the construction of the Essex North Shore Agricultural
190 and Technical School in the town of Danvers;\$460,000,000
191

192 1100-3001 For a grant program to cities and towns for the purpose of
193 providing funding for the repair, renovation or
194 construction of municipal facilities or infrastructure or
195 of any cultural, social, recreational or other facilities
196 serving a municipal purpose, including those owned or
197 operated by nonprofit organizations, technology
198 upgrades and purchase of equipment, under rules
199 adopted by the executive office for administration and
200 finance based upon the following criteria: an
201 assessment of fiscal and budgetary constraints facing
202 the municipality; an analysis of the municipality's
203 proposed budget and financing of the repair,
204 renovation, or construction project; the municipality's
205 need for the project; the benefits to the municipality
206 that will result from the project; and an overall
207 evaluation of the merits of the grant proposal; provided,
208 that the executive office of administration and finance
209 may expend not more than 1 per cent of the total
210 amount available for the cost of administering this
211 program; provided further, that not less than \$4,000,000
212 shall be expended for Phase 1 of the improvement and

213 redevelopment plan of the Three County Fairgrounds in
214 the city of Northampton; provided further, that not less
215 than \$100,000 shall be expended for the construction of
216 a concrete foundation for refrigerant pipes at the
217 Bourne Ice Rink; provided further, that not less than
218 \$1,000,000 shall be expended for the Municipal
219 Stadium safety project; provided further, that not less
220 than \$1,200,000 shall be expended for improvements to
221 the Newburyport senior center in Newburyport;
222 provided further, that not less than \$7,000,000 shall be
223 expended for improvements to the Haverhill Stadium in
224 Haverhill; provided further, that not less than \$100,000
225 shall be expended for renovations of Lakeville town
226 hall; provided further, that not less than \$100,000 shall
227 be expended for renovations of Freetown town hall;
228 provided further, that not less than \$100,000 shall be
229 expended for renovations of Middleborough town hall;
230 provided further, that not less than \$75,000 shall be
231 expended for construction of a parking lot at the
232 Council on Aging in Middleborough; provided further,
233 that not less than \$3,500,000 shall be expended for
234 waterfront development in Beverly; provided further,
235 that not less than \$10,000,00 shall be expended for
236 clean up of the former Belchertown state school
237 property; provided further, that not less than \$4,000,000
238 shall be expended for restoration of the Loew's Poli
239 Palace Theatre; provided further, that not less than
240 \$500,000 shall be expended for repairs to the Hamilton
241 Center in Newton Lower Falls; provided further, that
242 not less than \$30,000,000 shall be expended for repair
243 or replacement of water pipes located under state
244 highway routes 1 and 99 in Saugus and that said
245 appropriation shall also be used for reimbursement to
246 the town of Saugus for the cost of breaks to said pipes
247 located under said state highways; provided further, that
248 not less than \$2,000,000 shall be expended for the Hope
249 House in the city of Boston; provided further, that not
250 less than \$2,000,000 shall be expended for the
251 Watertown Boys' and Girls' Club, Inc.; provided
252 further, that not less than \$1,000,000 shall be expended
253 for the Presentation School in Brighton; provided
254 further, that not less than \$200,000 shall be expended
255 for Watertown Landing; provided further, that not less
256 than \$2,000,000 shall be expended on Fenway
257 Community Health Center; provided further, that not
258 less than \$600,000 shall be expended for Project Place

259 in Boston; provided further, that not less than \$250,000
260 shall be expended for communications consoles for the
261 Braintree police department; provided further, that not
262 less than \$250,000 shall be expended for creation and
263 development of a senior center in Canton; provided
264 further, that not less than \$1,000,000 shall be expended
265 for design and construction of a performing arts center
266 in Milton; provided further, that not less than
267 \$1,800,000 shall be expended for design and
268 construction of a senior center in East Bridgewater;
269 provided further, that not less than \$5,000,000 shall be
270 expended for design and construction of a department
271 of public works operations center in East Bridgewater;
272 provided further, that not less than \$10,000,000 shall be
273 expended for a municipal maintenance facility in
274 Canton; provided further, that not less than \$100,000
275 shall be expended for repairs to the Chester town hall;
276 provided further, that not less than \$500,000 shall be
277 expended for renovations to the old town hall in
278 Easthampton; provided further, that not less than
279 \$24,000,000 shall be expended for the Westfield
280 intermodal and downtown revitalization initiative;
281 provided further, that not less than \$500,000 shall be
282 expended for air conditioning at city hall in Lynn;
283 provided further, that not less than \$4,917,000 shall be
284 expended for waterfront development in Lynn;
285 provided further, that not less than \$2,253,395 shall be
286 expended for reconstruction of the Ward bath house in
287 Lynn; provided further, that not less than \$1,000,000
288 shall be expended for improvements to the Grand Army
289 of the Republic building in Lynn; provided further, that
290 not less than \$176,000 shall be expended for
291 development grants to the Waters Farm Living History
292 Museum; provided further, that not less than \$30,000
293 shall be expended for the restoration of the historic
294 North Purchase street school house; provided further
295 that not less than \$25,000 shall be expended for a
296 comprehensive study to develop sign and graphic
297 standards for the Plymouth Historic District; provided
298 further, that not less than \$25,000 shall be expended for
299 landscape design and permitting for rehabilitation of the
300 Training Green in Plymouth; provided further, that not
301 less than \$3,500,000 shall be expended for design and
302 construction projects recommended by the Plymouth
303 Public Space Action Plan (2007); provided further, that
304 not less than \$4,000,000 shall be expended for design

305 and construction projects on Water Street as
306 recommended by the Plymouth Public Space Action
307 Plan (2007); provided further, that not less than
308 \$155,000 shall be expended for street lights in the town
309 of Bourne; provided further, that not less than
310 \$3,200,000 shall be expended for renovations at the
311 Falmouth Town Library; provided further, that not less
312 than \$15,000 shall be expended for technology
313 upgrades at the Plymouth Public Library; provided
314 further, that not less than \$80,000 shall be expended for
315 the Modernization of the Plymouth Fire Prevention
316 Bureau; provided further, that not less than \$100,000
317 shall be expended for the establishment of the Plymouth
318 Historical Records Management Program; provided
319 further, that not less than \$500,000 shall be expended
320 for the restoration of the historic Blanchard street
321 school house; provided further, that not less than
322 \$737,000 shall be expended to reimburse the town of
323 Southbridge for its purchase of the former National
324 Guard armory from the commonwealth; provided
325 further, that not less than \$300,000 shall be expended
326 for ADA compliance and entry way improvements at
327 the town hall in Charlton; provided further, that not less
328 than \$665,735 shall be expended for Old Town Hall
329 renovations in Barre; provided further, that not less than
330 \$1,000,000 shall be expended for development of a
331 senior center in Rutland; provided further, that not less
332 than \$1,500,000 shall be expended for development of a
333 senior center in Templeton; provided further, that not
334 less than \$3,500,000 shall be expended for
335 improvements to town hall in Framingham; provided
336 further, that not less than \$8,000,000 shall be expended
337 for construction of a parking garage in Natick; provided
338 further, that not less than \$100,000 shall be expended
339 for the Hartshorne House in Wakefield; provided
340 further, that not less than \$1,300,000 shall be expended
341 for the preservation of the Museum of African
342 American History; provided further, that not less than
343 \$1,000,000 shall be expended for a senior center in
344 Malden; provided further, that not less than \$1,000,000
345 shall be expended for construction of a new facility for
346 the Lena Park Community Development Corporation;
347 provided further, that not less than \$1,000,000 shall be
348 expended for the preservation of the historic registry in
349 Stoneham; provided further, that not less than \$600,000
350 shall be expended for the relocation of the salt storage

351 shed in Andover; provided further, that not less than
352 \$300,000 shall be expended for ADA improvements at
353 the town hall in Dracut; provided further, that not less
354 than \$8,000,000 shall be expended for Quabbin
355 development in Belchertown; provided further, that not
356 less than \$1,500,000 shall be expended for Essex Town
357 Hall exterior; provided further, that not less than
358 \$350,000 shall be granted to Gloucester for an
359 economic development study for a previously-identified
360 area of the city with the potential for job creation;
361 provided further, that not less than \$171,000 shall be
362 expended for reimbursements of replaced culverts
363 damaged in the May 2006 flooding in Rowley;
364 provided further, that not less than \$1,500,000 shall be
365 expended for repairing the irrigation system at the Leo
366 J. Martin golf course; provided further, than not less
367 than \$100,000 shall be expended for Hart's Hill
368 Housing in the town of Wakefield; provided further,
369 that not less than \$40,000 shall be expended for a new
370 World War II Memorial in the town of Wakefield;
371 provided further, that not less than \$45,000 shall be
372 expended for information technology document
373 management solutions in the town of Wakefield;
374 provided further, that not less than \$40,000 shall be
375 expended for technology upgrades for fire department
376 vehicles in the town of Marblehead; provided further,
377 that not less than \$5,000 shall be expended for
378 technology upgrades for fire department vehicles in the
379 town of Swampscott; provided further, that not less
380 than \$25,000 shall be expended to enhance the real-
381 time forensic ability of the Swampscott Police
382 Department with the use of Live Scan finger printing;
383 provided further, that not less than \$200,000 shall be
384 expended to fund wind or solar energy generation
385 systems at the transfer station in the town of
386 Marblehead and a designated building in the town of
387 Swampscott; provided further, that not less than
388 \$1,000,000 shall be expended for the renovation of the
389 community safety building in Arlington; provided
390 further, that not less than \$250,000 shall be expended
391 for repairs to the Brattle Street culvert in Arlington;
392 provided further, that not less than \$50,000 shall be
393 expended for the West Medford Community Center;
394 provided further, that not less than \$30,000 shall be
395 expended on a security system for the Fort Taber
396 Military Museum; provided further, that not less than

\$3,000,000 shall be expended for the Frederick Douglass House and Museum located in the city of New Bedford for costs associated with renovation, enhancement, reconstruction, improvement, expansion, demolition, acquisition, property repair, and exhibits and collections; provided further, that not less than \$350,000 shall be expended on design and repair of the Parting Ways Building in the town of Acushnet; provided further, that not less than \$50,000 shall be expended for Market Ministries programs related to facilities maintenance, improvements, restoration, renovation, and educational capital expenditures; provided further, that not less than \$1,000,000 shall be expended for preservation and expansion of the Levi Standish House in the city of New Bedford; provided further, that not less than \$2,000,000 shall be expended for the rehabilitation of the New Bedford Armory; provided further, that not less than \$2,000,000 shall be expended for capital improvements at the New Bedford Whaling Museum; provided further, that not less than \$3,000,000 shall be expended on capital improvements to the Zeiterion Theater including, but not limited to, demolition, acquisition, renovation, restoration, design, and construction, including a ballroom, expanded stage facilities and other capital improvements; provided further, not less than \$2,000,000 shall be expended for equal capitalization of the Western Massachusetts Enterprise Fund, Inc. and the South Eastern Economic Development Corporation; provided further, that the corporations shall prepare 5-year strategic operations plans which shall include, but not be limited to: (i) identification of financial resources required to meet the mission and ongoing lending operations of the corporation; and (ii) a plan of action for reducing or eliminating the need for public subsidies to meet the mission of the corporation not later than December 31, 2008; provided further, that not less than \$750,000 shall be expended for the benefit of the town of Dartmouth to acquire the former state police barracks for appropriate town use including, but not limited to, a municipal, health, or educational facility; provided further, that not less than \$1,000,000 shall be expended for expansion, renovation, capital improvements, relocation, or demolition for the Fairhaven Council on Aging; provided further that not less than \$2,000,000 shall be expended for planning and design for improvements to

the public safety buildings in the town of Ashland; provided further, that not less than \$1,200,000 shall be expended for repairs and improvements to the senior center in the town of Medway; provided further, that not less than \$750,000 shall be expended for renovations and repairs to the senior center in the town of Holliston; provided further, that not less than \$1,500,000 for repairs and renovations to the Danforth Museum in the town of Framingham; provided further, that not less than \$2,500,000 shall be expended for the rehabilitation of the historical town hall in the town of Hopkinton; provided further, that not less than \$1,000,000 shall be expended for a new senior center in Falmouth; and provided further, that not less than \$20,000 shall be expended for an engineering study to be conducted on wharves in Mattapoissett.....\$170,000,000

JUDICIARY

Trial Court

1102-5600 For capital needs at court facilities, including, but not limited to, expenditures for the planning, design, and acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, the preparation of plans and specifications, the construction, renovation, reconstruction, alteration, improvement, demolition, expansion, repair and improvements, including furnishings and equipment and temporary relocation costs, as needed for priority projects identified by the division of capital asset management and maintenance and the administrative office of the trial court; for building repairs necessary to correct unsafe and overcrowded conditions, for the remediation of life safety code violations, for the remediation of access code and civil rights violations, for the remediation of environmental hazards and for security improvements and other necessary repairs at court facilities owned by the commonwealth or by political subdivisions of the commonwealth; provided further, that expenditures made from this item shall include, but not be limited to, expenditures for the projects identified through the court capital repair needs assessment database as developed and maintained by

489 the division of capital asset management and
 490 maintenance and reviewed and approved by the
 491 administrative office of the trial court; provided further,
 492 that costs payable from this item shall include, but not
 493 be limited to, the costs of engineering and other
 494 services essential to these projects rendered by division
 495 of capital asset management and maintenance
 496 employees or by consultants; provided further, that
 497 amounts expended for division employees may include
 498 the salary and salary-related expenses of these
 499 employees to the extent that they work on or in support
 500 of these projects; provided further, that not less than
 501 \$125,000,000 shall be made available for costs of the
 502 reconstruction or replacement of court facilities located
 503 in the city of Lowell; provided further, that not less than
 504 \$40,000,000 shall pay for costs of the renovation of the
 505 superior court building located in the city of Taunton;
 506 provided further, that not less than \$60,000,000 shall
 507 pay for costs of the renovation of the probate and
 508 family court building located in the city of Salem;
 509 provided further, that not less than \$50,000,000 shall
 510 pay for costs of the renovation of the court facility
 511 located in the town of Greenfield; provided further, that
 512 not less than \$750,000 shall be made available for the
 513 completion of the master plan for Norfolk county,
 514 including for the reconstruction or replacement of court
 515 facilities located in the town of Dedham; provided
 516 further, that not less than \$600,000 shall be expended
 517 for repairs and renovations to the district court facility
 518 in Leominster; provided further, that not less than
 519 \$72,000,000 shall be expended for construction of the
 520 Michael Ruane judicial center; provided further, that
 521 not less than \$20,000,000 shall be expended to
 522 complete a master plan in Norfolk county which shall
 523 include the plan for the development and construction
 524 of a centralized Norfolk county courthouse campus in
 525 Dedham Square and for the planning, design and
 526 construction of such facilities in accordance with said
 527 master plan; and provided further, that the costs of
 528 design and construction of the Franklin county
 529 courthouse shall be funded from this item\$592,600,000

530
531 *Information Technology Division*

532
533 1790-2500

534 For costs associated with planning and studies,
 acquisition of land and buildings and interests therein

by purchase, lease for a term, including any extensions,
not to exceed 50 years, gift or other transfer, or by
eminent domain under chapter 79 of the General Laws
and for the preparation of plans and specifications,
repairs, construction, renovations, improvements, asset
management and demolition for a data center that will
be located in western Massachusetts in either
Hampden, Hampshire, Berkshire or Franklin county;
provided, that costs payable from this item shall
include, but not be limited to, the costs of engineering
and other services essential to this project rendered by
division of capital asset management and maintenance
employees or consultants; and provided further, that
amounts expended for division employees may include
the salary and salary-related expenses of these
employees to the extent that they work on or in support
of this project.....\$ 78,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

4000-2020 For costs associated with planning and studies, dispositions,
acquisition of land and buildings and interests therein
by purchase, lease for a term, including any extensions,
not to exceed 50 years, gift or other transfer, or by
eminent domain under chapter 79 of the General Laws,
for the preparation of plans and specifications, repairs,
construction, renovations, improvements, asset
management and demolition for health and human
services facilities, all as the commissioner of capital
asset management and maintenance, in consultation
with the secretary of health and human services and the
appropriate commissioners of the departments within
the executive office, shall consider appropriate;
provided, that all juvenile detention facility projects
approved for design and construction by the division of
capital asset management and maintenance shall be
consistent in priority and need with a master plan to be
developed by the division of capital asset management
and maintenance in consultation with the department of
youth services; provided further, that projects that are
not included in the master plan may be approved for
funding by the division of capital asset management
and maintenance if the commissioner of capital asset
management and maintenance determines that
circumstances following the development of the master

581 plan resulted in a compelling need for funding the
582 projects; provided further, that costs payable from this
583 item shall include, but not limited be to, the costs of
584 engineering and other services essential to these
585 projects rendered by division of capital asset
586 management and maintenance employees or by
587 consultants; and provided further, that amounts
588 expended for division employees may include the
589 salary and salary-related expenses of these employees
590 to the extent that they work on or in support of these
591 projects.....\$80,000,000
592

593 *Board of Library Commissioners*

594 7000-9090 For a program of grants to cities and towns for approved
595 public library projects under sections 19G to 19I,
596 inclusive, of chapter 78 of the General Laws; provided,
597 that not more than \$500,000 shall be expended by the
598 board of library commissioners for the administrative
599 costs directly attributable to the projects funded in this
600 item, including the costs of temporary personnel;
601 provided further, that no permanent personnel shall be
602 compensated from this item; and provided further, that
603 the board shall file an annual spending plan with the
604 fiscal affairs division and the house and senate
605 committees on ways and means which details, by
606 subsidiary, all temporary personnel and administrative
607 costs charged to this item.....\$100,000,000
608
609

610 **EXECUTIVE OFFICE FOR PUBLIC SAFETY AND SECURITY**

611 *Office of the Secretary*

612 8000-3500 For a grant program to cities and towns to provide funding for
613 the repair, renovation or construction of municipal
614 public safety facilities, under rules adopted by the
615 executive office of public safety and security based
616 upon the following criteria: an assessment of fiscal and
617 budgetary constraints facing the municipality; an
618 analysis of the municipality's proposed budget and
619 financing of the repair, renovation, or construction
620 project; the municipality's need for the project; the
621 benefits to the municipality that will result from the
622 project; and an overall evaluation of the merits of the

623 grant proposal; provided, that the executive office may
624 expend not more than 1 per cent of the total amount
625 available for the cost of administering this program;
626 provided further, that not less than \$150,000 shall be
627 expended for the design of a new police station in
628 Lakeville; provided further, that not less than \$100,000
629 shall be expended for repairs to the police station in
630 Middleborough; provided further, that not less than
631 \$300,000 shall be expended for planning and design of
632 a new public safety facility for police and fire
633 departments in Avon; provided further, that not less
634 than \$750,000 shall be expended for emergency repairs
635 to HVAC systems at fire department headquarters in
636 Stoughton; provided further, that not less than \$150,000
637 shall be expended for relocation of or improvements to
638 the Milford Public Safety Dispatch Center; provided
639 further, that not less than \$1,800,000 shall be expended
640 for renovation of the fire department facility in North
641 Brookfield; provided further, that not less than
642 \$8,000,000 shall be expended for construction of a new
643 police station in Lawrence; provided further, that not
644 less than \$2,000,000 shall be expended for construction
645 of a new police station in Salisbury; provided further,
646 that not less than \$580,000 shall be expended for fire
647 department facilities in Randolph; provided further, that
648 not less than \$550,000 shall be expended for a class I
649 fire department pump replacement in Sharon; and
650 provided further, that not less than \$6,700,000 shall be
651 expended for a fire station in Ware.....\$41,080,000
652

653 *Department of Fire Services*

654
655 8000-4900 For costs associated with planning and studies, dispositions,
656 acquisition of land and buildings and interests therein
657 by purchase, lease for a term, including any extensions,
658 not to exceed 50 years, gift or other transfer, or by
659 eminent domain under chapter 79 of the General Laws,
660 for the preparation of plans and specifications, repairs,
661 construction, renovations, improvements, asset
662 management and demolition for a fire training facility
663 in the city of Springfield, all as the commissioner of
664 capital asset management and maintenance, in
665 consultation with the state fire marshal, shall consider
666 appropriate; provided, that costs payable from this item

667 shall include, but not limited be to, the costs of
668 engineering and other services essential to this project
669 rendered by division of capital asset management and
670 maintenance employees or by consultants; and provided
671 further, that amounts expended for division employees
672 may include the salary and salary-related expenses of
673 these employees to the extent that they work on or in
674 support of this project\$10,000,000
675

676 *Office of the Chief Medical Examiner*

677
678 8500-1000 For costs associated with planning and studies, dispositions,
679 acquisition of land and buildings and interests therein
680 by purchase, lease for a term, including any extensions,
681 not to exceed 50 years, gift or other transfer, or by
682 eminent domain under chapter 79 of the General Laws,
683 for the preparation of plans and specifications, repairs,
684 construction, renovations, improvements, asset
685 management and demolition, including furnishings and
686 equipment, for regional facilities for the office of the
687 chief medical examiner, all as the commissioner of
688 capital asset management and maintenance, in
689 consultation with the chief medical examiner, shall
690 consider appropriate; provided, that costs payable from
691 this item shall include, but not be limited to, the costs of
692 engineering and other services essential to these
693 projects rendered by division of capital asset
694 management and maintenance employees or by
695 consultants; and provided further, that amounts
696 expended for division employees may include the
697 salary and salary-related expenses of these employees
698 to the extent that they work on or in support of these
699 projects.....\$15,000,000
700

701 *Jails and Correctional Facilities*

702
703 8900-7500 For costs associated with planning and studies, for the
704 preparation of plans and specifications, repairs,
705 construction, renovations, improvements, asset
706 management and demolition and other capital
707 improvements at department of correction facilities for
708 the purpose of preventing prisoner suicides, including
709 the capital improvements as detailed in Appendix A of
710 the Hayes Report, a summary of observations, findings

711 and recommendations of Lindsay Hayes, project
712 director of the National Center on Institutions and
713 Alternatives; provided, that costs payable from this item
714 shall include, but not be limited to, the costs of
715 engineering and other services essential to these
716 projects rendered by division of capital asset
717 management and maintenance employees or by
718 consultants; and provided further, that amounts
719 expended for division employees may include the
720 salary and salary-related expenses of these employees
721 to the extent that they work on or in support of these
722 projects.....\$15,000,000

723
724 **EXECUTIVE OFFICE LABOR AND WORKFORCE DEVELOPMENT**

725
726 *Department of Business and Technology*

727
728 7003-0500 For costs associated with planning and studies, for the
729 preparation of plans and specifications, repairs,
730 construction, renovations, improvements, asset
731 management and demolition and other capital
732 improvements at facilities operated by Zoo New
733 England, including the Franklin Park Zoo and the
734 Stoneham Zoo; provided further, that not less than
735 \$5,000,000 shall be expended for Buttonwood Park and
736 Zoo\$35,000,000

737 **SECTION 5.**

738
739 **EXECUTIVE OFFICE FOR PUBLIC SAFETY AND SECURITY**

740
741 *Jails and Correctional Facilities*

742
743
744 8900-8500 For costs associated with planning and studies, dispositions,
745 acquisition of land and buildings and interests therein
746 by purchase, lease for a term, including any extensions,
747 not to exceed 50 years, gift or other transfer, or by
748 eminent domain under chapter 79 of the General Laws
749 and for the preparation of plans and specifications,
750 repairs, construction, renovations, improvements, asset
751 management and demolition for state and county jails
752 and correctional facilities; provided, that all projects
753 approved for funding under this item by the division of
754 capital asset management and maintenance shall be
755 consistent in priority and need with a corrections'
756 master plan to be developed by the division of capital

757 asset management and maintenance in consultation with
 758 the department of correction and the Massachusetts
 759 Sheriffs Association, and approved by the secretary of
 760 public safety and security and the secretary of
 761 administration and finance including, but not limited to,
 762 the following projects as provided for therein: a pre-
 763 release center and regional lock-up facility
 764 in Barnstable county, capital improvements to facilities
 765 in Berkshire and Bristol counties, the relocation of the
 766 "E911" communications center and improvements to
 767 the facilities in the county of Dukes County, additional
 768 capacity in Essex county, additional capacity at the
 769 Western Massachusetts Regional Women's
 770 Correctional Center in Hampden county, the
 771 replacement of modular facilities in Hampshire county,
 772 the construction of additional capacity in Middlesex
 773 county, the construction of additional capacity, a
 774 storage warehouse, and parking facility improvements
 775 in Norfolk county, capital improvements to facilities
 776 in Plymouth county, capital improvements to facilities
 777 in Suffolk county and the construction of additional
 778 capacity in Worcester county; provided further, that
 779 projects that are not included in the master plan may be
 780 approved for funding by the division of capital asset
 781 management and maintenance if the commissioner of
 782 capital asset management and maintenance determines
 783 that circumstances following the development of the
 784 master plan resulted in a compelling need for funding
 785 the projects; provided further, that costs payable from
 786 this item include, but are not limited to, the costs of
 787 engineering and other services essential to these
 788 projects rendered by division of capital asset
 789 management and maintenance employees or by
 790 consultants; and provided further, that amounts
 791 expended for division employees may include the
 792 salary and salary-related expenses of these employees
 793 to the extent that they work on or in support of these
 794 projects\$450,000,000
 795
 796 0330-9999 For the purchase or lease of equipment or other items for a
 797 program of intermediate sanctions as authorized in item
 798 0330-8968 of section 2 of chapter 12 of the acts of 1996
 799 including, but not limited to, the purchase of mobile
 800 substance abuse testing vans and other drug testing
 801 equipment, the acquisition and build out of leased or
 802 purchased space for day reporting centers, including

803 modular units, and the purchase of equipment that may
804 qualify as alternatives to incarceration; provided, that
805 no funds appropriated in this item shall be expended for
806 the costs of state personnel or contracted personnel;
807 provided further, that not more than 2 per cent of the
808 funds authorized herein shall be expended for the
809 administration of any projects funded herein; and
810 provided further, that the executive director of the
811 office of community corrections shall submit a report
812 detailing any such administrative expenditures to the
813 house and senate committee on ways and
814 means.....\$10,000,000
815

816 SECTION 6. To meet the expenditures necessary in carrying out section 2, the
817 state treasurer shall, upon request of the governor, issue and sell bonds of the
818 commonwealth in an amount to be specified by the governor from time to time but not
819 exceeding, in the aggregate, \$365,000,000. All such bonds issued by the commonwealth
820 shall be designated on their face, Capital Improvements Loan Act of 2008, and shall be
821 issued for a maximum term of years, not exceeding 10 years, as the governor may
822 recommend to the general court under section 3 of Article LXII of the Amendments to
823 the Constitution. The bonds shall be payable not later than June 30, 2023. All interest
824 and payments on account of principal on these obligations shall be payable from the
825 General Fund. Bonds and interest thereon issued under this section shall,
826 notwithstanding any other provisions of this act, be general obligations of the
827 commonwealth.
828

829 SECTION 7. To meet the expenditures necessary in carrying out section 3, the
830 state treasurer shall, upon request of the governor, issue and sell bonds of the
831 commonwealth in an amount to be specified by the governor from time to time but not
832 exceeding, in the aggregate, \$451,800,000. All such bonds issued by the commonwealth
833 shall be designated on their face, Capital Improvements Loan Act of 2008, and shall be
834 issued for a maximum term of years, not exceeding 20 years, as the governor may
835 recommend to the general court under section 3 of Article LXII of the Amendments to
836 the Constitution. The bonds shall be payable not later than June 30, 2033. All interest
837 and payments on account of principal on these obligations shall be payable from the
838 General Fund. Bonds and interest thereon issued under this section shall,
839 notwithstanding any other provisions of this act, be general obligations of the
840 commonwealth.
841

842 SECTION 8. To meet the expenditures necessary in carrying out section 4, the state
843 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth
844 in an amount to be specified by the governor from time to time but not exceeding, in the
845 aggregate, \$1,721,680,000. All such bonds issued by the commonwealth shall be
846 designated on their face, Capital Improvement Act of 2008, and shall be issued for a
847 maximum term of years, not exceeding 30 years, as the governor may recommend to the
848 general court under section 3 of Article LXII of the Amendments to the

849 Constitution. The bonds shall be payable not later than June 30, 2043. All interest and
850 payments on account of principal on these obligations shall be payable from the General
851 Fund. Bonds and interest thereon issued under this section shall, notwithstanding any
852 other provisions of this act, be general obligations of the commonwealth.

853
854 SECTION 9. To meet the expenditures necessary in carrying out section 5, the
855 state treasurer shall, upon request of the governor, issue and sell bonds of the
856 commonwealth in an amount to be specified by the governor from time to time but not
857 exceeding, in the aggregate, \$460,000,000. All such bonds issued by the commonwealth
858 shall be designated on their face, Capital Improvement Act of 2008, and shall be issued
859 for a maximum term of years, not exceeding 30 years, as the governor may recommend
860 to the general court under section 3 of Article LXII of the Amendments to the
861 Constitution. The bonds shall be payable not later than June 30, 2048. All interest and
862 payments on account of principal on these obligations shall be payable from the General
863 Fund. Bonds and interest thereon issued under this section shall, notwithstanding any
864 other provisions of this act, be general obligations of the commonwealth.

865
866 SECTION 10. The first sentence of subsection (e) of section 38C of chapter 7 of the
867 General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding
868 the following words:- ; or (iv) the contract is for the demolition of buildings.

869
870 SECTION 11. Section 11C of chapter 25A of the General Laws, as so appearing, is
871 hereby amended by striking out, in line 3, the word “ten” and inserting in place thereof
872 the following figure: - 20.

873
874 SECTION 12. The first paragraph of subsection (a) of said section 11C of said
875 chapter 25A, as so appearing, is hereby amended by striking out the third sentence.

876
877 SECTION 13. Said section 11C of said chapter 25A, as so appearing, is hereby
878 further amended by striking out, in lines 25 and 26, the words “two hundred thousand
879 dollars” and inserting in place thereof the following figure:- \$1,000,000.

880
881 SECTION 14. Said chapter 25A is hereby further amended by inserting after section
882 11I the following section:-

883
884 Section 11J. (a) Subject to this section, a public agency or a state agency as defined
885 in section 11C may contract directly and without further solicitation with electric utilities
886 or their subcontractors providing ratepayer-funded energy efficiency programs under
887 section 19 of chapter 25 and section 11G of this chapter. The contract shall authorize the
888 vendor to undertake projects for energy conservation as part of the ratepayer-funded
889 energy efficiency program and having a total project cost that is less than \$100,000.

890
891 (b) For a total project cost that is less than \$100,000, a public agency or a state
892 agency may contract directly with a gas utility or its subcontractor authorized to
893 undertake energy efficiency programs for energy conservation projects already initiated

894 by gas utilities as part of its energy efficiency programs funded through settlements with
895 the department of public utilities.

896
897 (c) For purposes of this section, "total project cost" shall mean all construction
898 costs of an energy conservation project, whether borne by the utility or agency, including,
899 without limitation, the costs associated with equipment purchase and installation of the
900 equipment..

901
902 SECTION 15. Chapter 29 of the General Laws is hereby amended by inserting
903 after section 2XXX the following section:—
904

905 Section 2YYY. There shall be established and set up on the books of the
906 commonwealth a separate fund, to be known as the Courts Capital Project Fund. The
907 fund shall consist of the portion of net cash proceeds of the commonwealth's disposition
908 of surplus real property deposited in the fund under law and all other monies credited or
909 transferred to the fund from any other fund or source. The comptroller shall disburse
910 amounts in the fund at the direction of the secretary of administration and finance,
911 without further appropriation, for the purpose of paying costs of, or paying down any
912 portion of the debt incurred to pay costs of, the acquisition, temporary leasing or the
913 construction of any replacement court facilities. The inspector general shall make an
914 annual oversight inquiry and report on the Capital Courts Project Fund and its
915 disbursements; provided, however, that such report shall be provided to the clerks of the
916 house of representatives and senate, chairs of house and senate committees on ways and
917 means and chairs of the joint committee on bonding, capital expenditures and state assets.
918

919 SECTION 16. Section 15 of chapter 463 of the acts of 2004 is hereby amended
920 by striking out the last sentence and inserting in place thereof the following sentence:—

921 Any remaining proceeds shall used to reduce any incurred indebtedness of the Essex
922 North Shore Agricultural and Technical School District to the former municipalities of
923 the North Shore Vocational Regional School District in accordance with the capital cost
924 allocation provisions of said district's regional agreement.

925 SECTION 17. Said chapter 463 is hereby further amended by striking out section
926 11 and inserting in place thereof the following:-

927 Section 11. The district shall be considered an eligible institution for financing
928 assistance provided by the health and educational facilities authority established under
929 chapter 614 of the acts of 1968. The school committee shall establish and maintain a
930 capital reserve fund for the purpose of financing necessary facility maintenance and
931 capital improvements. The capital reserve fund shall be subject to the limits on
932 stabilization funds in section 16G 1/2 of chapter 71 of the General Laws. Except as
933 provided in this section, the General Laws regulating borrowing by regional districts and
934 limitations on borrowing by regional districts, including but not limited to chapter 70B of
935 the General Laws and clauses (e), (g), and (n) of section 16 of chapter 71 of the General

Laws, shall apply to the district. The Essex North Shore Agricultural and Technical School District may issue bonds for the constructing, reconstructing, equipping school buildings and other facilities related thereto for a term not to exceed thirty years.

SECTION 18. Section 11 of chapter 27 of the acts of 2007 is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The state treasurer may, upon request of the governor, issue and sell refunding bonds of the commonwealth in an amount to be specified by the governor from time to time for the purpose of paying, at maturity or upon acceleration or redemption, any bonds then outstanding and issued by an entity other than the commonwealth under chapter 425 of the acts of 1991, section 39I of chapter 190 of the acts of 1982, section 7 of chapter 16 of the acts of 1999 or section 6 of chapter 53 of the acts of 1999, or issued by the city of Chelsea under chapter 40D of the General Laws to finance costs of the information technology center in that city, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of maturity, acceleration or redemption of these bonds. The state treasurer shall not issue any refunding bonds unless he finds that the present value, discounted at the rate that he considers appropriate, of the principal and interest payments due on the refunding bonds is less than the present value, discounted at that rate, of the principal and interest payments to be paid, from the proceeds of these refunding bonds and investment earnings thereon, on the bonds to be refunded. These refunding bonds may be issued at such time before the maturity, acceleration or redemption of the bonds to be refunded thereby that the state treasurer, with the approval of the governor, considers advisable. The issuance of these bonds, the security therefor, the maturities and other details thereof, the rights of the holders thereof and the rights, duties and obligations of the commonwealth with respect thereto shall be governed by chapter 29 of the General Laws relating to the issuance of bonds by the commonwealth, insofar as these provisions may be appropriate therefor. In connection with any issuance of refunding bonds under this section, the secretary of administration and finance and other officers of the commonwealth who are parties to the contract for financial assistance, lease or other agreements related to the bonds being refunded and the state treasurer may enter into amendments to the contract, lease or other agreements and any other documents that they consider necessary or desirable to effectuate the issuance of the bonds. Without limiting the generality of this section, the provisions of section 49 of said chapter 29 applicable to sinking funds established with trustees shall apply to the deposit of refunding bond proceeds with a trustee, except that these proceeds shall be held for the benefit of the holders of the bonds to be refunded thereby.

SECTION 19. (a) In order to facilitate the reuse of the properties listed in subsection (b) of this section, the commissioner of capital asset management and maintenance may: (1) notwithstanding section 40F of chapter 7 of the General Laws or any other general or special law to the contrary, transfer the use of and the responsibility for maintenance of any facility or real property listed in said subsection (b) to state agencies; (2) subject to sections 40E to 40F1/2, inclusive, and 40I to 40J, inclusive, of chapter 7 of the General Laws, sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of any

981 facility or real property listed in subsection (b) to a municipality for a direct public use as
982 defined in section 40F of said chapter 7; or (3) subject to said sections 40E to 40F½,
983 inclusive, and 40H to 40J, inclusive, of said chapter 7 and using appropriate competitive
984 processes and procedures, sell, lease for a term not to exceed 99 years, transfer or
985 otherwise dispose of any facility or real property listed in said subsection (b).
986

987 (b) This section shall apply to the following properties:

988 (i) any court facilities vacated and determined to be surplus by the commissioner of
989 capital asset management and maintenance and the chief justice for administration and
990 management as a result of or in anticipation of the construction of new court facilities or
991 the consolidation of court facilities in the city of Lowell, but the transfer, sale, lease or
992 other disposition shall be in accordance with chapter 290 of the acts of 2004;

993 (ii) any court facilities vacated and determined to be surplus by the commissioner of
994 capital asset management and maintenance and the chief justice for administration and
995 management as a result of or in anticipation of the construction of new court facilities or
996 the consolidation of court facilities in the city of Cambridge;

997 (iii) any court facilities vacated and determined to be surplus by the commissioner
998 of capital asset management and maintenance and the chief justice for administration and
999 management as a result of or in anticipation of the construction of new court facilities or
1000 the consolidation of court facilities in the city of Worcester; and

1001 (iv) any court facilities vacated and determined to be surplus by the commissioner
1002 of capital asset management and maintenance and the chief justice for administration and
1003 management as a result of or in anticipation of the construction of new court facilities or
1004 the consolidation of court facilities in the city of Salem.

1005 The exact boundaries of each parcel to be transferred, sold, leased or otherwise
1006 disposed of shall be determined by the commissioner of capital asset management and
1007 maintenance after completion of a survey.

1008 (c) The grantee or lessee of any surplus real property shall be responsible for all
1009 costs including, but not limited to, appraisals, surveys, plans, recordings and any other
1010 expenses relating to the transfer, as shall be considered necessary by the commissioner.

1011 (d) The net cash proceeds of the sale, lease or other disposition of any court facility
1012 under clauses (i) to (iv), inclusive, of subsection (b) shall be deposited into the Courts
1013 Capital Project Fund established in section 2YYY of chapter 29 of the General Laws For
1014 the purposes of this subsection, "net cash proceeds" shall mean all payments made to the
1015 commonwealth as and when paid, less any transaction-related expenses and expenses
1016 incurred in connection with the custody of the property by the division including, but not
1017 limited to, costs associated with the disposal or predevelopment of the property from
1018 which the funds originated including, but not limited to, appraisals, surveys, site
1019 evaluation, site preparation, plans, recordings, smart growth review and feasibility and

other marketing studies and any other expenses relating to the disposal or project management services in connection with any reuse or redevelopment of the property.

SECTION 20. (a) In order to facilitate the reuse of the properties listed in subsection (b), the commissioner of capital asset management and maintenance may: (1) notwithstanding section 40F of chapter 7 of the General Laws or any other general or special law to the contrary, transfer the use of, and the responsibility for maintenance of any facility or real property listed in subsection (b) to state agencies; (2) subject to sections 40E to 40F^{1/2}, inclusive, and 40I to 40J, inclusive, of said chapter 7, sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of any facility or real property listed in said subsection (b) to a municipality for a direct public use as defined in section 40F of said chapter 7; or (3) subject to sections 40E to 40F^{1/2}, inclusive, and 40H to 40J, inclusive, of said chapter 7 and using appropriate competitive processes and procedures, sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of any facility or real property listed in said subsection (b).

(b) This section shall apply to the following properties:

(i) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Lowell, but the transfer, sale, lease or other disposition shall be in accordance with chapter 290 of the acts of 2004;

(ii) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Cambridge;

(iii) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Worcester; and

(iv) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Salem.

The exact boundaries of each parcel to be transferred, sold, leased or otherwise disposed of shall be determined by the commissioner of capital asset management and maintenance after completion of a survey.

(c) The grantee or lessee of any surplus real property shall be responsible for all costs including, but not limited to, appraisals, surveys, plans, recordings and any other expenses relating to the transfer, as shall be considered necessary by the commissioner.

(d) The net cash proceeds of the sale, lease or other disposition of any court facility under clauses (i) to (iv), inclusive, of subsection (b) shall be deposited into the Courts Capital Project Fund established in section 2YYY of chapter 29 of the General Laws. For the purposes of this subsection, "net cash proceeds" shall mean all payments made to the commonwealth as and when paid, less any transaction-related expenses and expenses incurred in connection with the custody of the property by the division including, but not limited to, costs associated with the disposal or predevelopment of the property from which the funds originated including, but not limited to, appraisals, surveys, site evaluation, site preparation, plans, recordings, smart growth review and feasibility and other marketing studies and any other expenses relating to the disposal or project management services in connection with any reuse or redevelopment of the property.

SECTION 21. (a) To carry out the purposes of items 1102-2008, 1102-5600, 4000-2020, 8000-4900 and 8500-1000 of section 4 and item 8900-8500 of section 5, the commissioner of capital asset management and maintenance may, notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, but subject to this subsection, acquire, by purchase, lease or leaseback for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, any interests in land and buildings considered necessary by the commissioner to carry out the purposes of this act including, but not limited to, easements for drainage, access, utilities and environmental mitigation and may grant and retain such easements and interests as considered necessary by the commissioner to carry out the purposes of this act.

(b) The commissioner shall solicit proposals for any facility acquisition through requests for proposals. Each request for proposals shall, at a minimum, include: (1) a description of the facility for which proposals are sought; (2) a statement as to whether the commissioner seeks to purchase or lease the facilities; (3) a statement as to whether the commissioner seeks to acquire improved or unimproved land, buildings and interests therein; (4) a statement as to whether the selected proposer shall be required to undertake the design, construction, renovation, reconstruction, alteration, improvement, demolition, expansion or management of a new or existing facility; (5) the proposed contractual terms and conditions, some of which may be considered mandatory or nonnegotiable, (6) the evaluation criteria that will be utilized by the commissioner; (7) the time and date for receipt of proposals; (8) the address of the office to which proposals shall be delivered; and (8) such other matters as may be determined by the commissioner. Public notice of each request for proposals shall be published at least 3 weeks before the time specified in the notice for the receipt of proposals in the central register published by the state secretary. At the opening of the proposals, the commissioner shall prepare a register of proposals which shall include the name of each proposer. The register of proposals shall be open for public inspection. Notwithstanding any general or special law to the contrary, until the completion of the selection process, the contents of the proposals and the selection process shall not be disclosed to competing proposers and shall not be public documents.

(c) Any design, construction, renovation, reconstruction, alteration, improvement, demolition, expansion or management of a facility undertaken under this section shall be subject to chapters 7, 30 and 149 of the General Laws and any other general or special law or regulation governing the design, construction, renovation, reconstruction, alteration, improvement, demolition, expansion or management of real or personal property by the commonwealth.

SECTION 22. The information technology division, in consultation with the operational services division, shall require that the procurement of services and equipment funded under item 1790-3000 of section 3 shall comply with the procurement policies filed by the state comptroller under section 13 of chapter 27 of the acts of 2007 to ensure an open and fair competitive process. Executive agencies that have or seek funding under said item 1790-3000 shall submit to the information technology division, at intervals to be determined by the division, documentation and deliverables necessary to enable it to oversee, ascertain and evaluate project management, status, progress, performance and expenditures. The information technology division shall specify this documentation and deliverables, which may include, without limitation, project management plans and methodology, technology designs and specifications, accountings of amounts expended or to be expended for all goods and services including, without limitation, hardware, software, consultant services and personnel, an assessment of whether the project is within budget and on schedule for completion, an explanation of any deviations in completion schedules and funding needs from those that were originally established for the projects, project plans and other document deliverables. The information technology division may make funding or continued funding for executive department agency projects contingent upon its approval of these documentation and deliverables.

SECTION 23. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure: 1102-8819, 5011-8841, 5011-8842, 8200-8842, 9300-3905, 1100-9101, 1102-7886, 1102-7887, 1102-7888, 1102-8880, 1102-8883, 1102-8888, 4238-8871, 5095-8870, 5095-8872, 9300-3909, 0330-8890, 0330-8891, 1102-6896, 1102-7891, 1102-7893, 1102-7894, 1102-7896, 1102-7897, 1102-8869, 1102-8890, 1102-8894, 4180-7890, 4180-7891, 4536-7890, 4537-7891, 4010-8831, 1599-8000, 4000-8000, 4000-8100, 5500-8300, 5500-8400, 5500-8500, 5500-8893, 5500-9000, 5500-9100, 5500-9220, 5800-8100, 5800-8120, 5800-8300, 5800-8810, 5800-9000, 8000-7950, 0330-8968, 8195-8968, 8995-8968, 1102-1960, 1102-8968, 1102-8969, 1102-9980, 4200-8968, 8199-7966, 8199-7967, 8900-7967, 1100-7982, 1102-7977, 1102-7979, 1102-9981, 1599-3914, 0330-2204, 0330-2206, 0330-2208, 0330-2209, 0526-8998, 8900-1981, 0526-0101, 0526-0111, 1102-1991, 1102-1992, 1102-2992, 1102-4994, 1102-5996, 7066-0013, 1102-7943, 1102-7944, 1102-7947, 1102-7948, 1102-8245, 1102-8940, 1102-8944, 1102-8945, 1102-8947, 1102-8981, 1599-1999, 4180-0013, 8000-0018, 8000-0019, 8100-9961, 1102-2204, 1102-4940, 1102-7949, 1102-7960, 1102-8949, 1102-9960, 0330-9010, 0333-0010, 0526-2010, 1102-2010, 1102-2011, 1102-3010, 1102-3013, 1102-3014, 1599-0023, 1790-2011, 1790-2012, 4000-2011, 4590-9999, 8000-2010, 8000-2011, 8000-2014, 8000-2019, 8100-0024, 8100-9962, 8800-2096, 0332-8811, 0431-8833, 1102-8791, 1102-8872, 1599-0267.

SECTION 24. Section 23 shall take effect 90 days after the effective date of this act.

SECTION 25. (a) There shall be transferred from item 6000-7967 of section 2A of chapter 28 of the acts of 1996, the amount of \$85,000,000 into item 1100-2500 for improvements to coastal facilities in designated and nondesignated port areas.

SECTION 26. Upon the transfer of the funds pursuant to section 25, section 2A of chapter 28 of the acts of 1996 shall be repealed.

SECTION 27. Sections 4, 5 and 6 of chapter 28 of the acts of 1996 are hereby repealed.

SECTION 28. The secretary of administration and finance, shall submit a report on the progress and all expenditures related to the projects specified in this act and any other projects funded through the authorizations in this act to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means, the senate and house chairs of the joint committee on environment, natural resources and agriculture and the senate and house chairs of the joint committee on bonding, capital expenditures and state assets. The report shall include, but not be limited to: the total amount appropriated for each project, the total estimated cost of each project, the amount expended for the planning and design of each project up to the time the report is filed, the amount expended on construction of each project up to the time the report is filed, the total amount currently expended on each project, the estimated lifetime maintenance schedule and cost of each project, the original estimated completion date of each project, the current anticipated completion date of each project and, if the project has been de-authorized, the reason for and date of de-authorization. The report shall be submitted on June 30 and December 31 of each year for a period of 8 years after the effective date of this act.